

intent of the bill which is to keep these cases out of criminal court. Obviously, and you can make this judgment for yourself, if you are a merchant, if you have reason to believe that there has been...shoplifting has been committed, you're going to want to get your money back. You don't really particularly care whether there is a criminal charge brought. So, obviously, if you require that a criminal charge first be brought, you're going to make it almost impossible for this bill to work. Secondly, in no part of the law is there a requirement that I know of where there must first be a conviction in a criminal case in order for there to be a civil action brought. It simply is not in the law. It is an attempt, I believe, by Senator Chambers to totally cause this bill to be ineffective. County attorneys work on their own. They do not decide whether to bring a criminal case because someone tells the county attorney to do it. They do it based on the facts that are presented to them. So, if you vote for the Chambers amendment you are effectively doing away with the bill. We might as well not even have it. There would be no reason to have it if you vote for the bill. Thank you.

SPEAKER BARRETT: Senator Smith, please.

SENATOR SMITH: Call the question.

SPEAKER BARRETT: The question has been called. Do I see five hands? I do. All in favor of ceasing debate please vote aye, opposed nay. Shall debate now close? Record, Mr. Clerk.

ASSISTANT CLERK: 25 ayes, 0 nays to cease debate, Mr. President.

SPEAKER BARRETT: Debate closes. Senator Chambers, would you care to close on your amendment?

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, this is not an innocuous little bill. This is a bill that is setting policies that I think are not wise at all. First of all, Senator Pirsch and Senator Ashford have totally misused the term decriminalize. If an act is considered a crime and you decriminalize it, that means that act is no longer a crime. Shoplifting still exists as a crime and I'd like to prove that by Senator Ashford because I want him on the record showing what kind of a lawyer he is. Senator Ashford, does decriminalize mean that an act which formerly was a crime is no longer a crime? Is that what decriminalization means?